

Application No. 10/090,079  
Response to Office Action of April 21, 2005  
Request for Reconsideration dated July 21, 2005  
Attorney Docket No. 01-10053

### REMARKS/ARGUMENTS

Applicant hereby responds to the Office Action mailed April 21, 2005. In the Office Action, the Examiner rejected claims 2 - 3, 5, 6 - 7, 14 - 16, 17 - 19, 25 and 29, taking the position that the claims are obvious in light of the combined teachings of newly uncovered patents Waters (U.S. Patent No. 5,197,933) and Bradbury (U.S. Patent No. 5,316,535). Applicant respectfully submits that Waters does not teach an exercise device in which the user lies on his or her back; nor does it disclose or teach a hand-gripping member that is capable of side to side motion, let alone side to side motion that is substantially confined to a plane or even side-to-side motion that is substantially confined to a plane that is parallel to the floor, as recited in independent claim 17. Additionally, the front-to-back motion is not confined to a plane nor confined to a plane that is parallel to the floor. Any diagonal motion is not confined to a plane nor confined to a plane that is parallel to the floor. And, any rotational motion is not confined to a plane nor confined to a plane that is parallel to the floor.

As for claim 25, Waters does not disclose a hand-gripping member capable of side-to-side motion, front-to-back motion, diagonal motion, rotational motion, or a combination thereof, relative to the user, while the user's arms being kept extended while gripping the hand-gripping member; and a third guiding member slideably mounted on said first and second guiding members, and having opposite first and second ends supported on said first and second guiding members respectively, wherein

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said hand-gripping member is slideably mounted on said third guiding member, as recited in claim 25.

As for claim 29, Waters does not disclose a hand-gripping member comprising means for side-to-side, diagonal, or rotational movement, or a combination thereof, relative to the user, as recited in claim 29.

The Examiner also rejected claims 5, 7 - 8, 10 - 11, and 21 - 24, taking the position that the claims are anticipated by Verbick (U.S. Patent No. 5,441,255). Applicant respectfully submits that Verbick does not disclose or teach a device wherein the user lies on his back; nor does this patent disclose a device in which the hand-gripping member is capable of side to side motion. In fact, the device in Verbick does not allow for the front-to-back motion confined to a plane that is parallel to the floor. The device in Verbick does not allow for any diagonal motion confined to a plane that is parallel to the floor. The device in Verbick does not allow for any rotational motion that is substantially confined to a plane that is parallel to the floor.

Additionally, the Examiner noted certain informalities with claims 18 and 29, which, by this amendment, Applicant corrects as suggested by the Examiner. In claim 18, the term "said first surface" has been corrected to read "said surface on which the device is supported," as originally intended. In claim 29, the term "hand gripping

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member" has been amended to read "hand gripping means," and the term "means form movement" at claim 29, line 6, has been corrected to read "means for movement," as originally intended.

In a recent Office Action in a related matter, the Examiner required that the term "slidable" be corrected to read "slideable" in the claims. In anticipation of a similar concern with this claim term in the present application, Applicant amends all references in the claims to the terms "slidable" and "slidably" to read "slideable" and "slideably," respectively.

Having addressed each of the Examiner's concerns, Applicant asserts that the application is now in condition for allowance and respectfully requests that the Examiner reconsider her rejection of the claims. If an additional telephone interview will advance the allowance of the application, enabling an Examiner's amendment or other meaningful discussion of the case, Applicant requests that the Examiner contact Applicant's representative at the number listed below.

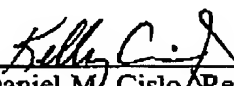
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It is not believed that any additional fees are due; however, in the event any additional fees are due, the Examiner is authorized to charge Applicant's attorney's deposit account no. 03-2030.

Respectfully submitted,

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Date: July 21, 2005

  
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